



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

131

CR-4223-2024
Date of decision : 31.07.2024

Ballarpur Industries Limited Petitioner

versus

Kameshwar and others Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Vishal Sharma, Advocate
for the petitioner.

PANKAJ JAIN, J. (Oral)

1. By way of present revision, the petitioner has laid challenge to the order dated 06.05.2024, whereby application filed by the respondents under Order 39 Rules 1 and 2 read with Section 151 of the Civil Procedure Code stands allowed.
2. On being asked, counsel for the petitioner does not dispute that the said order would be appealable in terms of the provision as contained under Order 43 Rule 1(r). However, he refers to Sections 63 and 231 of the IBC to submit that the Civil Court does not have jurisdiction to entertain civil suit.
3. In the considered opinion of this Court, the precise contention with respect to entertainment of the suit by the Court below without jurisdiction can be well raised before the Appellate Court.
4. In view of above this Court finds that the present revision petition is not maintainable and the same is dismissed.

(PANKAJ JAIN)
JUDGE

31.07.2024

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Whether speaking/reasoned : Yes

Whether Reportable : No